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Decision 95-11-056 November 21, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 M & M Luxury Shuttle, Inc: for )  
 authority to operate as a passenger )  
 stage corporation between points in )  
 San Francisco, San Mateo, Santa )  
 Clara, Alameda, Contra Costa, Solano )  
 and Marin Counties and the San )  
 Francisco, Oakland and San Jose )  
 International Airports. )

**ORIGINAL**

Application 95-08-012  
(Filed August 2, 1995)

O P I N I O N

M & M Luxury Shuttle, Inc., a corporation (applicant), requests authority under Public Utilities ((PU) Code § 1031 et seq. to extend its passenger stage service. Applicant is currently authorized under its PSC-7614 to perform "on-call" passenger stage service between the Cities of San Francisco, Foster City, and any points and places north of Route 92 in San Mateo County, on the one hand, and San Francisco International Airport (SFO), on the other hand.

Applicant proposes to perform the requested authority on on-call, door-to-door service, twenty-hours per day, seven days a week. The requested service area, as described in Exhibit "A", attached to the application, includes points and places in the Counties of San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, Solano, and Marin, on the one hand, and SFO, Oakland (OAK), and San Jose (SJC), International Airports, on the other hand.

The proposed fares shown in Exhibit "C", attached to the application are reasonable and fair. Applicant indicates it has six seven-passenger vehicles as shown in Exhibit "D", attached to the application.

Notice of filing of this application appeared in the Commission's Daily Calendar on August 28, 1995. The applicant notified all of the airports, regional transportation districts, and county governmental entities. No protest has been received. The Safety and Enforcement Division recommends that this application be granted.

Findings of Fact

1. Applicant is presently authorized to perform "on-call" passenger stage service between the Cities of San Francisco, Foster City, and any points and places north of Route 92 in San Mateo County, on the one hand, and SFO, on the other hand.

2. Applicant requests to extend its passenger stage service between points and places in the Counties of San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, Solano, and Marin, on the one hand, and SFO, OAK, and SJC, on the other hand.

3. The proposed fares are reasonable.

4. Public convenience and necessity require the proposed extension of service.

5. No protests to the application have been filed.

6. A public hearing is not necessary.

7. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

1. The application should be granted.

2. Since the matter is uncontested, the decision should be effective on the date signed.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. The certificate of public convenience and necessity is granted to M & M Luxury Shuttle, Inc., a corporation (applicant), authorizing it to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, to transport persons and their baggage between the points and over the routes set forth in Appendix PSC-7614 of Decision 92-02-053, is amended, by replacing Original Pages 2 and 3 with First Revised Pages 2 and 3.

2. Applicant shall:

- a. File a written acceptance of this amended certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
- c. State in the tariffs and timetable when service will start; allow at least 10 days' notice to the Commission; and make timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 101, 104, and 158, and the California Highway Patrol (CHP) safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

g. Applicant shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

3. Before beginning service to any airport, applicant shall notify the airport's governing body. Applicant shall not operate into or on airport property unless such operations are also authorized by the airport's governing body.

4. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to applicant that its evidence of insurance is on file with the Commission and that the CHP has approved the use of applicant's vehicles for service.

5. The application is granted as set forth above.

This order is effective today.

Dated November 21, 1995, at San Francisco, California.

DANIEL Wm. FESSLER  
President  
P. GREGORY CONLON  
JESSIE J. KNIGHT, JR.  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
Commissioners

**SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,  
AND SPECIFICATIONS.**

M & M Luxury Shuttle, Inc., a corporation, by the certificate of public convenience and necessity granted by the \*revised decision noted in the margin, is authorized to transport passengers and their baggage between points and places as described in Section IIA and the airports specified in Section IIB, over and along the route described in Section III, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- \*b. The term "on-call", as used, refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized on-call service will be rendered.
- c. Scheduled service will be operated only at the designated service points listed in Section IIA. Such schedules shall be the timetable filed with the Commission. All of the stop points shall be described in the timetable filed with the Commission.
- d. No passengers shall be transported except those having a point of origin or destination at either San Francisco, San Jose, or Oakland International Airports.
- e. This certificate does not authorize the holder to conduct any operation on the property of or into any airport unless such operation is authorized by the airport authority involved.

Issued by California Public Utilities Commission.

\*Revised by Decision 95-11-056, Application 95-08-012.

SECTION II. SERVICE AREA.

- A. Points and places in the Counties of San Francisco, \*San Mateo, \*Santa Clara, \*Alameda, \*Contra Costa, \*Solano, and \*Marin.
- B. San Francisco International Airport  
\*San Jose International Airport  
\*Oakland International Airport

SECTION III. ROUTE DESCRIPTION.

ON-CALL SERVICE

Commencing from any point as described in Section IIA, then over the most convenient streets, expressways, and highways to any airports described in Section IIB.

Issued by California Public Utilities Commission.

\*Revised by Decision 95-11-056, Application 95-08-012.